

REMARKS

This Response is submitted in reply to the Final Office Action dated February 22, 2005. Claims 72-87 are pending in the patent application. Claims 72-87 are rejected under 35 U.S.C. §103 in view of U.S. Patent No. 6,219,045 (“Leahy”) and U.S. Patent No. 5,793,365 (“Tang”). Applicants believe that the obviousness rejection is improper. At least for the reasons set forth below, Applicants believe that the rejections raised in the Final Office Action have been overcome and thus should be withdrawn.

Of the pending claims at issue, claims 72 and 81 are the sole independent claims. Claim 72 recites a method of controlling an agent. The method includes sending an agent parameter; wherein said agent parameter defines a behavior of an agent; setting a state of said agent to absent state in response to sending the agent parameter; and generating said agent parameter if said agent parameter is not returned within a predetermined time period.

Claim 81 recites a method of controlling an animated electronic pet. The method includes sending a plurality of pet parameters wherein said plurality of pet parameters determine a behavior of an animated electronic pet, setting a state of said animated electronic pet to absent state in response to sending said plurality of pet parameters, and generating said plurality of pet parameters if said plurality of pet parameters are not returned within predetermined time period.

Even if combinable, Applicants believe that the cited art is distinguishable from the claimed invention. For example, the primary Leahy reference is deficient with respect to setting a state of the agent to an absent state in response to sending the agent parameter, and generating said agent parameter if said agent parameter is not returned within a predetermined time period, as even admitted by the Patent Office. See, Office Action, page 3.

In contrast, as cited by the Patent Office, Tang discloses changing the displayed level of activity for an agent based in part on the user’s activity level. See, Office Action, page 3-4. For example, the level of activity for an agent can be changed to absent if the keyboard remains idle for a specified period of time. Tang further discloses that the worker’s computer monitors the activity of a worker. For example, the computer monitors the worker’s keyboard. When the keyboard is idle for a first predetermined period of time, such as three minutes, each gallery window 10 in which the worker’s icon 14 appears is updated to display the icon 14 associated with the worker and the idle level of activity. If the keyboard remains idle for a second

predetermined period of time, such as two hours, the level of activity may be determined to be “absent”, and the worker’s icon 14 updated accordingly. Moreover, an absent determination may be based on whether the worker has logged out of their computer, or has left their office, using motion detection or sound detection systems.

The level of activity information for each worker is updated automatically, preferably any time there is a change in the worker’s state. This change in level is then reflected in all of the gallery windows 10 in which the worker’s icon 14 appears, with the appropriate icon 14 being selected to indicate the worker’s current level of activity. The gallery window 10 will display either the default icon 17 associated with the worker’s current level of activity, or a personal icon 14 if one exists. See, col. 7, ln. 7-28. Therefore, Tang does not disclose a method of controlling an agent that includes, in part, generating said agent parameter of said agent parameter is not returned within a predetermined time period as required by the claimed invention based on at least these reasons.

Accordingly, Applicants respectfully submit that the cited references, alone or in combination not only fail to disclose the claimed invention, they fail to teach or suggest the same. Tang is clearly different from the claimed invention, and thus, even if combinable with Leahy, fails to render obvious the claimed invention for at least these reasons.

Accordingly, Applicants respectfully request that the obviousness rejection with respect to claims 72-87 be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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